



PATENT

Attorney Docket 44921-5058-01-US

#17  
B. Webb  
6/15/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Patricia Murphy *et al.***Application No. **09/084,471**Filed: **May 22, 1998**For: **Novel Coding Sequences of the Human  
BRCA2 Gene**Group Art Unit: **1655**Examiner: **S. Zitomer, Ph.D.**Commissioner for Patents  
Washington, D.C. 20231**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed to the best of the undersigned's knowledge before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If it should be determined that any of the listed documents do not constitute prior art under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

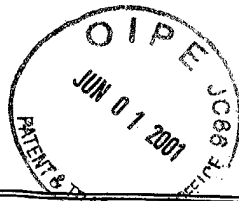
**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account

No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. §1.136(a)(3).

Dated: **June 1, 2001**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1800 M Street, NW  
Washington, D.C. 20036  
202-467-7000

Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
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Michael S. Tuscan  
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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket  
44921-5058-01-USApplication No.  
09/084,471Applicants: Patricia Murphy *et al.*

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Filing Date: May 22, 1998

Group: 1655

## U.S. PATENT DOCUMENTS

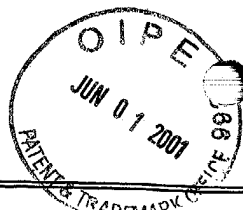
Initial		Serial No.	Date	Name	Class	SubClass	Filing Date
	aa	4,683,202	07/28/87	Mullis	435	91	10/25/85
	ab	5,545,531	08/13/96	Rava <i>et al.</i>	435	6	06/7/95
	ac	5,561,058	10/01/96	Gelfand <i>et al.</i>	435	912	05/24/95
	ad	5,582,989	12/10/96	Caskey <i>et al.</i>	435	6	09/30/94
	ae	5,589,330	12/31/96	Shuber	435	5	07/28/94
	af	5,624,803	04/29/97	Noonberg <i>et al.</i>	435	6	10/13/94
	ag	5,650,316	07/22/97	Aggarwal <i>et al.</i>	435	375	06/06/94
	ah	5,654,155	08/05/97	Murphy <i>et al.</i>	435	6	02/12/96
	ai	5,693,473	12/02/97	Shattuck-Eidens <i>et al.</i>	435	6	06/07/95
	aj	5,709,999	01/20/98	Shattuck-Eidens <i>et al.</i>	435	6	06/07/95
	ak	5,710,001	01/20/98	Skolnich <i>et al.</i>	435	6	06/07/95
	al	5,726,019	03/10/98	Sidransky	435	6	12/28/95
	am	5,747,282	05/05/98	Skolnick <i>et al.</i>	435	69.1	06/07/95
	an	5,753,441	05/19/98	Skolnick <i>et al.</i>	435	6	01/05/96
	ao	5,756,294	05/26/98	White <i>et al.</i>	435	6	09/25/95
	ap	5,858,669	01/12/99	Levine	435	6	09/13/96
	aq	5,891,857	04/06/99	Holt <i>et al.</i>	514	44	02/20/96
	ar	5,912,127	06/15/99	Narod <i>et al.</i>	435	6	02/28/97
	as	5,948,643	09/07/99	Rubinfeld <i>et al.</i>	435	69.1	08/13/97
	at	5,965,377	10/12/99	Adams <i>et al.</i>	435	7.23	03/20/98

Examiner

Date Considered

Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.



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## U.S. PATENT DOCUMENTS

Initial		Serial No.	Date	Name	Class	SubClass	Filing Date
	au	6,033,857	03/07/00	Tavtigian <i>et al.</i>	435	6	03/20/98
	av	6,045,997	04/04/00	Futreal <i>et al.</i>	435	6	11/25/96
	aw	6,083,698	07/04/00	Olson <i>et al.</i>	435	6	12/11/97
	ax	6,051,379	08/18/00	Lescallett <i>et al.</i>	435	6	12/02/97
	ay	6,124,104	09/26/00	Tavtigian <i>et al.</i>	435	7.2	03/20/98
	az	6,130,322	10/10/00	Murphy <i>et al.</i>	536	23.1	05/06/98

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	SubClass	Translation
	ba	GB 2307477A	05/28/97	GB			
	bb	EP 0699754A1	06/03/96	EP			
	bc	EP 0705902A1	10/04/96	EP			
	bd	EP 0705903A1	10/04/96	EP			
	be	WO 9304200	03/04/93	PCT			
	bf	WO 9519369	07/20/95	PCT			
	bg	WO 9722689	06/26/97	PCT			
	bh	WO 9730108	08/21/97	PCT			
	bi	WO 9815654	04/16/98	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

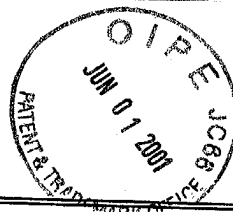
	bj	Hacia <i>et al.</i> , Detection of heterozygous mutations in BRCA1 using high density oligonucleotide arrays and two-colour fluorescence analysis, Nat. Genet. 14:441-447 (1996)
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Examiner

Date Considered

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary) PTO Form 1449		Attorney Docket 44921-5058-01-US	Application No. 09/084,471
		Applicants: Patricia Murphy <i>et al.</i>	
		Filing Date: May 22, 1998	Group: 1655
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>			
	bk	Bignell <i>et al.</i> , The BRC repeats are conserved in mammalian BRCA2 proteins, Hum. Mol. Genet. 6:53-58 (1997)	
	bl	Neuhausen <i>et al.</i> , Recurrent BRCA2 6174delT Mutations in Ashkenazi Jewish Women Affected by Breast Cancer, Nat. Genet. 13:126-128 (1996)	
Examiner		Date Considered	
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.			